

NEIGHBORHOOD COMMISS

AN EVALUATION OF THE EFFECTIVENESS OF THE
NEIGHBORHOOD BOARDS AND NEIGHBORHOOD PLAN

Prepared for The Neighborhood Commission
City and County of Honolulu
by

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1. PURPOSE

Under contract dated August 1, 1979, Pac West Community Associates Inc. agreed to evaluate the effectiveness of the Neighborhood Boards and Neighborhood Plan. This report transmits the evaluation performed in accordance with the terms of the contract.

2. METHODOLOGY

To evaluate the Boards and the Plan and in formulating measures of effectiveness, data were collected through the office of the Executive Director of the Neighborhood Commission and the Corporation Counsel. That data included Minutes of the Charter Commission, Minutes of the Neighborhood Commission, Neighborhood Board Minutes, copies of the draft Interim Evaluation Report and Appendix (Vols. I and II), press clippings, opinion surveys and the attitudinal survey conducted in 1978.

All opinions rendered by the Corporation Counsel relating to the Neighborhood Board system and its operations were reviewed. Articles appearing in several political science and sociology journals and other publications concerning citizen participation were studied, including Commissioner Chan's senior thesis, a research paper by David De Leon, and "Planning for Neighborhood Boards in Honolulu" (WP74-001) by Bill Kloos.

In addition, we interviewed the present and past chairmen of the Neighborhood Commission, (Shuford and Chun) and the Chairmen

of the City Council from the time of the inception of the Revised Charter of Honolulu, 1973, to date (Koga, Akahane, Bornhorst, and Pacarro). We also interviewed the following members of the 1973 Charter Commission - Ellis, Chan, Kosaki, Takasaki, Marzen, Tuttle and a full time staff researcher of the Charter Commission, Dr. Phyllis Turnbull. Meetings were also held with Mr. Richard Sharpless, the City Corporation Counsel and former City Managing Director and Mr. Ed Hirata the present City Managing Director. Discussions were also held with several key department directors within the City Administration.

As a result of our analysis we have determined that the more traditional measures of effectiveness, while clearly useful, do not provide a comprehensive basis for evaluation. Our deliberations led us back to the Minutes of the Charter Commission and eventually to the Charter Commissioners themselves. Our purpose was to determine the intent of the Commissioners in drafting Article XIII, RCH and as promulgated by the Neighborhood Commission in the Neighborhood Plan of the City and County of Honolulu. The 1972 Charter Commissioners were surprisingly close in their view that the Boards were to be relatively informal, minimal cost, unbureaucratic organizations encouraging citizen input through the City administration and with its support. We believe that effectiveness of the Boards and the Neighborhood Plan should be measured against that idea. It is on that basis that we proceeded.

3. FINDINGS

- A. There is no available evidence to indicate that Boards have increased "effective citizen participation in the decisions of the City." (See pgs. 35 & 36 - Interim Evaluation Vol. 1). (Full discussion at pg. 13, this report.)
- B. There is no available evidence to indicate that the Boards have been able to affect noticeably the "decisions of the City." The Development Plan process with its emphasis on Board input may provide such evidence. (See pgs. 16 & 17, this report.)
- C. Surveys indicate that Board members perceive that the Boards have become enmeshed in bureaucratic red tape. The election process is costly and there is little voter participation. Sunshine law requirements and concern for procedures appear to hinder free expression and limit citizen participation. (See pg. 18 & 19 this report.)
- D. The cost of operating the Board system is, in our view, excessive. For example, the Budget for 1980 anticipates expenditures of \$375,968. Of that total \$153,163 is in support of the Development Plan process. Not included in the personnel budget figures are CETA workers who serve as elections clerks for a demonstration project to be concluded in September 1980, and neighborhood assistants hired specifically to meet mounting demands from the boards for technical assistance. These have numbered as many as 14 at any one time at approximately \$10,000 each per year. The Boards, on the other hand, complain that small amounts of funds are available to them to support informational activities. However, it should be

noted that \$16,000 allocated to the Boards went unspent and was lapsed. Elections have become enormously complex and expensive. The elections held in the spring 1979 cost \$59,628. Five hundred fifty-one candidates in 24 Boards ran and received 10,835 votes for a total of 19.6 votes per candidate at \$5.50 per vote. However, mail in ballots, instituted by the Commission should reduce significantly the cost of elections and increase participation.

- E. The Neighborhood Commission staff and its director receive very high marks from all Boards for their assistance and enthusiastic support.
- F. The highly structured Neighborhood Plan may exceed the stated intent of the City Charter and the desire of the Charter Commissioners. For example, Board, Powers, Duties and Functions (Part VII) states that "Boards are expected to take the initiative in selecting their activities and establishing priorities among them." Then follows a list of 10 (ten) Board powers, duties and functions which the Boards shall include.
- G. More board experience is required and more information generated and gathered before a clearly factual determination can be made as to the effectiveness of the plan.
- H. Neighborhood boundaries drawn do not seem to conform to the standards outlined in the Neighborhood Plan Part III - Boundaries.
- I. Board member perception of the role of the Neighborhood Commission and its effectiveness is mixed. The authority given to the Commission in Section 13-103(a)

of the RCH which permits the Neighborhood Plan to "be effective upon filing with the City Clerk" should be reviewed. Such a procedure evades the normal checks and balances required of other City operations. Under less responsible Neighborhood Commissioners and Chairmen the power inherent in RCH Section 13-103(a) could easily have been abused. Indeed the possibilities of excessive manipulation continue to exist.

4. BACKGROUND

A hope of the Sixties was to devise new legal forms that would enable people to participate directly in the decisions which affect their lives. A requirement of President Lyndon Johnson's "War on Poverty" was that community action programs be conducted with "maximum feasible participation" of the people served by the programs. The Model Cities program under President Richard Nixon required that before funds would be released the participating municipalities demonstrate that there was "widespread citizen participation" by all segments of the community in all aspects of the program.

In April of 1971 when the Honolulu Charter Commission first met, the people of Honolulu had some experience with these new legal forms of participatory democracy. The Community Action Program in Hawaii was headed by Thomas P. Gill, a former U.S. Congressman. Gill was later elected Lt. Governor partly on the strength of his Community Action Programs record. Governor John A. Burns established in his own office a local version called the Progressive Neighborhood Program.

Under Republican Mayor Neil Blaisdell, the City and County of Honolulu sought and received a Model Cities designation from the federal

government. The Honolulu program designated two areas--Kalihi-Palama and the Waianae Coast--as model neighborhood areas. Each model neighborhood area developed strong associations, elaborate citizen committee structures, and representative governing bodies. The citizen participation component of Honolulu's Model Cities Program was heavily funded and professionally staffed. At the conclusion of the Model Cities Program the Honolulu program was rated as one of the best in the nation, especially in the area of citizen participation.

The Hawaii Community Action Program and especially the Honolulu Model Cities Program demonstrated that it was possible to maximize citizen participation and to have that participation be widespread. In fact, during the duration of the Model Cities Program and especially during its last two years, Irene Fujimoto, the Kalihi-Palama community advocate, spent a great deal of time and effort sharing her expertise with other community groups in Honolulu.

There was clearly a mood in Honolulu, especially among reformers and the residents of less affluent communities, to institutionalize citizen participation into a legal form. Model Cities was a "self-destruct" program and was soon to end. The Community Action Program had been systematically weakened by the Nixon administration and no longer strengthened the political muscle of the poor.

Coincidental with the demise of the federal experiments with citizen participation in local decision making, came the mandated review of the Honolulu City Charter. In the Spring of 1971 the Honolulu City Council and Mayor Frank F. Fasi formed the nine member Charter Commission.

The 1972 Charter Commission was a blue ribbon group. At the conclusion of the business of the Commission, its membership included a former Governor of the State of Hawaii, the head of the most powerful union of government workers, an executive of a public utility, a former city managing director and then Chamber of Commerce executive, a prelate of the Roman Catholic Church and editor of its official publication, an attorney and member of the prior charter commission, a university professor and public opinion researcher and a ranking educational administrator.

The Charter Commission took as its theme "The Responsible City." It was clear from early in the deliberations that some legal form of institutionalized citizen participation in the decisions of the City would be recommended. But the legal form to be given to citizen participation never was decided by the Commission, that task was to be left to another Commission to be created especially for the task.

It was clear throughout the deliberations that the Commission, as a whole, had no clear idea of what powers it wanted citizens to exercise. There was fear expressed by most members that a "new layer of government" might be created and that wasn't what they wanted. While they recognized there would be costs, they did not want the cost of participation to be large.

It appears from the recollections of the commissioners we spoke with that they wanted all levels of government to be responsive to neighborhood concerns and to utilize neighborhood knowledge in solving problems. Where jurisdictions overlapped, the neighborhood would become the unifying force. Instead of escalating decision making "up," it would be returned to the people from whom power derives.

The problem they faced was how to institutionalize citizen participation without formalizing it to the point where it lost its essence.

Honolulu, unlike many heavily urbanized mainland cities, had a number of stable communities with strong community associations. In fact, in some communities there were so many organizations representing community interests that City agencies found the task of communicating with all of the groups burdensome. Some commissioners saw a need to create an "official" organization in each neighborhood to coordinate the responses of interested groups and to ease the communication problem of the bureaucracy.

What finally emerged from the Charter Commission was a clear statement that official neighborhoods would be designated and that the people in those neighborhoods could organize themselves into "boards," if they wished, and in that way be assured that their participation in the decisions of the City would be effective. A nine member commission was to develop a "neighborhood plan" which would designate the boundaries of the neighborhoods and establish the procedures by which the residents could organize themselves. The Neighborhood Commission would then review and evaluate the effectiveness of the Plan and the Boards, and would assist in the formation and operation of neighborhoods and boards, if the residents requested their assistance.

The Charter Commission recognized that some communities might not wish to be organized, or might wish to rely on the organizations they had already created. The Charter Commissioners certainly had no desire to destroy or in any way diminish the effectiveness of the existing community organizations, nor did they wish to alter Honolulu's historic or "natural" neighborhoods.

Recognizing that neighborhoods were unique and had distinctive ways of doing things, the Commission wanted the neighborhoods to have the maximum freedom feasible in deciding what ways they would organize themselves. The Charter Commission did not intend to have the Neighborhood Commission prescribe beyond what it had described. It was the residents who were to initiate organization. The role of the Neighborhood Commission was to be one of assistance, and then only if asked.

When the members of the Neighborhood Commission were selected by Mayor Fasi and the City Council, an effort was made to select citizens who had experience in citizen participation and knowledge of community organizations. Unlike the members of the Charter Commission, those named to the Neighborhood Commission were not well known outside of their own communities or organizations. Among the members of the first Commission was a neighborhood YMCA director, a legislative lobbyist and community relations specialist, a lawyer and volunteer head of a neighborhood association, a Community Action Program participant, a former Jaycee president, an officer of an ethnic organization, and an active PTA chairman.

While the Charter Commissioners tended to deal with the philosophy of institutionalizing citizen participation and view it as one aspect of a dynamic, legal relationship between government and people, the Neighborhood Commissioners were faced with the immediate problem of articulating to the neighborhoods what it was the Charter intended, drawing boundaries, establishing procedures whereby Boards could be formed, conducting public hearings, selecting staff, lobbying for budget and addressing their responsibility for making it possible for the

Boards to be effective. Because of their personal experience with community organizations they tended to be pragmatic, concerned with "nuts and bolts," and, finally out of the frustration of dealing with the bureauacracy, legalistic. It was at this point that the Corporation Counsel began to play a major role in the direction the Neighborhood Boards would take.

In early November 1973, Council Chairman George Koga, asked the Corporation Counsel for an opinion as to the legality of that section of the Charter (Article XIII) which dealt with the Neighborhood Boards. The Chairman's request came as a result of Councilman George G. Akahane's charge "that the new City Charter vests the Neighborhood Commission, an executive agency, with legislative powers..." Councilman Akahane argued that "determining the manner in which neighborhood boards can be created, the manner of selection of its membership, their terms of office and their powers, duties, and functions are clearly legislative matters which only the Charter Commission or the City Council may determine."

The Corporation Counsel, among other things, opined that Article XIII was legal. He stated that the Neighborhood Boards were restricted to an advisory role, that there was nothing which required a neighborhood to form a board, and nothing which said neighborhoods couldn't form a community council, other than a neighborhood board, to represent them.

While Councilman Akahane in his letter of November 6, 1973 interpreted Section 13-104 to give the power to prescribe the powers, duties and functions of the Neighborhood Boards to the Neighborhood Commission, there is doubt in our mind that that is what the Charter says. Further, our interviews with Charter Commissioners lead us to

believe that that was not what some of the Commissioners intended.

The pertinent part reads:

The neighborhood plan shall designate the boundaries of neighborhoods and provide procedures by which registered voters within neighborhoods may initiate and form neighborhoods and the manner of selection of the members of neighborhood boards, their terms of office and their powers, duties and functions.

The two verbs in the statement, "designate" and "provide," are joined by the conjunction "and." We believe the language, while awkward, clearly indicates a two element statement.

The two elements are: (1) the power to designate the boundaries of neighborhoods, and (2) the power to provide procedures by which each neighborhood board formed and organized itself.

We believe the statement does not give the power to prescribe the powers, duties and functions of the Neighborhood Boards to the Neighborhood Commission, but merely gives the Commission the power to provide procedures by which individual boards would decide what their powers, duties and functions would be.

When the City Corporation Counsel responded to the Akahane charge, the pertinent part was rephrased to address Councilman Akahane's concern and reflected his interpretation of Section 13-104. The Corporation Counsel's opinion stated the pertinent part contained three elements: "(1) the power to prescribe the powers, duties and functions of the Neighborhood Boards, (2) the power to designate the boundaries of neighborhoods, and (3) the power to designate the manner of formation of neighborhoods, and, more particularly, the selection of Neighborhood Boards."

The Corporation Counsel in rephrasing the pertinent part added a third verb, "prescribe." No where in the statement is that verb used or implied. Its addition, by adding a third element, drastically changes Section 13-104. As a result, the Neighborhood Commission prescribed the manner of selection of the members of the Neighborhood Boards, prescribed their terms of office and prescribed their powers, duties and functions.

We believe the Charter Commission did not intend to have the Neighborhood Commission standardize each Board by prescribing the powers, duties and functions of the Neighborhood Boards. We believe the Charter Commission simply wanted the Neighborhood Commission to establish procedures which would facilitate the formation of the Boards. How each Board would organize itself would be left to each neighborhood and could call upon the traditional and historic organizational principles and problem solving techniques unique to the residents of the neighborhood.

At any rate, the opinion was accepted by the Council and the Neighborhood Commission proceeded to draft a Neighborhood Plan which prescribed 32 neighborhoods and described their boundaries, set forth procedures for the formation of neighborhood boards and prescribed that members of boards be elected to two year terms, prescribed their powers, duties and functions and their privileges, and established rules and regulations by which they were to operate, and requirements for reporting their activities.

5. THE ROLE OF THE BOARDS

In our findings we stated that there is no available evidence to indicate increased "effective" citizen participation in the decisions of the city. That statement should not be taken to mean that there has been no participation nor that the participation has not been effective on occasion. It does mean that our review of the documents and data available does not reveal any significant trends. There are a variety of reasons for this incomplete picture: new evaluation procedures, rapid turnover of board members, and frequent changes in commission staff. Further, as the Commission wisely noted, other factors affect Board performance such as economic conditions, resident lifestyle, and relative isolation from City Hall and the Commission staff. All of these constraints mitigate against an objective factual evaluation of the performance of the Boards and their relationship with City agencies and other community associations.

We found that in some cases effective formal relationships have been established with city agencies, the most prominent being with the Department of General Planning in its role as the proponent for the Development Plans. Good ties have been established with Land Utilization, Parks and Recreation and the Police Department. In some neighborhoods existing associations have continued to play the key role as spokesmen. McCully - Moiliili and Waikiki are two examples of that trend. In other areas the boards have virtually taken over as in Hawaii Kai where the Hawaii Kai Communities Council is no longer functioning.

In a major attempt to judge effectiveness the Neighborhood Commission staff in 1979 prepared an evaluation report entitled "The

Effectiveness of the Neighborhood Plan and Neighborhood Boards."

The Commission assembled a check sheet on each board and used as a basis thirteen duties and functions extracted from the Plan. One of the thirteen items is an extensive, detailed annual report. A subjective, pass/fail type of judgment was made on each board. The ratings indicate that most boards are meeting the responsibilities deemed significant by the Commission. In some instances certain boards are clearly performing in an outstanding manner. In other cases the evidence available does not permit an objective statement to be made. Moreover, the ratings do not reflect performance in meeting the stated purpose of the neighborhood plan which is "to increase and assure effective citizen participation in the decisions of the city."

We then examined attendance figures at board meetings by board members, residents and business officials. The statistics listed below lead to the conclusion that judged by attendance standards "effective citizen participation" remains in a formative stage.

It is important to note that the ratings do not reflect performance in meeting the stated purpose of the neighborhood plan which is "to increase and assure effective citizen participation in the decisions of the City." To repeat, the ratings reflect performance in meeting Commission designated powers, duties and functions.

If board members, residents and business/official attendance figures are added to the ratings a different pattern develops. The pattern indicates that 60% of the boards did not achieve a 75% average attendance by board members. Resident and business/officials attendance is generally low.

**AVERAGE PARTICIPATION PER BOARD MEETING BY BOARD MEMBERS,
RESIDENTS, BUSINESS/OFFICIALS DURING 1977 AND 1978***

<u>Board</u>	<u>Board Members Average % Attending</u>	<u>Average Number of Residents</u>	<u>Average Number of Business/ Officials</u>
Hawaii Kai	83%	.5	2.7
Kuliouou	59%	.41	1.7
Waialae-Kahala	74%	11.6	4.3
Kaimuki	75%	9.8	3.3
Diamond Head/Kapahulu	43%	.6	2.0
Palolo	---	Insufficient Data	---
Manoa	75%	10.0	1.9
McCully	80%	9.0	3.0
Waikiki	63%	1.8	5.0
Makiki	56%	1.8	.2
Ala Moana	81%	4.2	2.2
Nuuanu	55%	3.0	.3
Downtown	58%	Insufficient Data	1.25
Liliha	61%	9.3	.7
Kalihi-Palama	49%	5.8	1.6
Kalihi Valley	---	Insufficient Data	---
Aiea	76%	5.0	3.2
Pearl City	49%	1.2	4.2
Ewa	59%	Insufficient Data	---
Waianae Coast	---	Insufficient Data	---
Mililani	46%	Insufficient Data	---
North Shore	84%	Insufficient Data	---
Koolauloa	73%	3.7	1.7
Kahaluu	63%	4.6	1.5
Kaneohe	88% (1976)	Insufficient Data	---
Kailua	60%	2.6	1.5
Waimanalo	65% (1976)	Insufficient Data	3.0

*Specific dates vary due to reporting difficulties. The most recent six month period has been selected, where possible.

Judged by attendance standards "effective citizen participation" has not occurred either through direct participation or participation through representatives.

We then examined an opinion survey of citizens around Oahu conducted in May 1979 by the Neighborhood Commission. Many questions were asked about neighborhood problems. Also, several questions were asked about Neighborhood Boards and their operation. Approximately 600 responses were received. To the question, "Have you heard anything about the Neighborhood Board in your area?" 70% answered "yes." The questions, "Have you ever attended one of the Neighborhood Board meetings?" received strong, "No" responses usually in the 70% to 80% range. A question "Did you vote in the last Neighborhood Board election?" received a similar, "No" percentage.

"Is your Neighborhood Board doing a good job?" was the question of most interest to us. The results, while generally favorable, are inconclusive. 28% answered, "Yes," 15% answered, "No," and the remaining 57% did not respond.

Also in May 1979 the Commission conducted a survey of Neighborhood Board members. The purpose was to evaluate the effectiveness of citizen participation in the decisions of the City. A copy of the response form is attached. Sixty-six Board members responded. Answers ranged from one word comments to lengthy essays. Some answers were vitriolic and others quite bland. Because of the range and scope of the answers we have summarized the responses to each question and suggest that the response forms be referred to for specifics.

Question #1 - Citizen involvement. How to improve.

Answers - generally apathetic. More funds needed for mailings and publicity.

Question #2 - Work of the Commission. How to improve.

Answers - From terrible to good. Stop the paper work, meetings and bureaucratic maneuvering. Help the Boards.

Leave the Boards alone.

Question #3 - Commission Staff.

Answers - High praise for their efforts.

Question #4 - Responsiveness of City Agencies - How to improve.

Answers - From not good to excellent. Pay attention to Board requests.

Question #5 - Problems

Answers - From no problems to problems with dictatorial chairmen, insufficient funds, too much red tape.

The Interim Evaluation, the survey of board members and the citizen survey all point toward the conclusion that citizen participation is minimal at best. With that conclusion in mind we then sought answers to the question of the effect of citizen participation in the decisions of the city. Examination of existing data and especially the Interim Evaluation Report reveals a wide range of activities in which boards have been involved with City agencies and other community associations. Unfortunately the data is not quantified and the statements provided are phrased in generalities which do not allow for judgments to be made regarding relative effectiveness. On the other hand it is clear that all boards have made some efforts to work with city agencies. Several boards work closely with various agencies.

It is also clear that in several instances community participation

has been significant on items of special interest to the community.

A valid test of the citizen participation component of the Neighborhood Plan will be administered through the on-going Development Plan program. That program, under the direction of the Department of General Planning, is designed to use neighborhood boards as the key point of contact with the various communities. Considerable funds have been made available to support a staff and detailed plans, with fixed time schedules, have been established. The boards have been given adequate time for development of input and the DGP staff has worked closely with the boards. The boards have also had to work with each other and with existing community groups through the structuring of the Development Area Organizations.

Once the input requirements have been fulfilled it will be up to the affected City agencies and the City Council to respond or not respond to the stated concerns. At that point an informed response can be made to the question of neighborhood board effectiveness in the decisions of the City. The decisions made as reflected in the development plan ordinances will play a critical role in the perception board members have of their own efforts and time and energy expended. Therefore, we believe that evidence regarding effectiveness will be quite apparent by comparing stated board recommendations with the eventual ordinances passed by the City Council. We recommend judgment be withheld until those results are in.

In summary the data available at this time to judge board effectiveness leads us to conclude that citizen participation is minimal and that it is too early to verify the role of the boards in the decisions of the city. We question whether the cost of supporting the boards is justified and whether the expenditure of more funds

and the publication of more rules and regulations (as is proposed) will enhance the progress of citizen participation.

We question whether the continuation of the present philosophy of operation, with its bulwark of legalism, will meet the intent of the City Charter. We are of the opinion that the increasing legal strictures lend themselves to the creation of a class of neighborhood board "experts" who will, by knowledge of the growing compendium of rules, be able to manipulate board actions in accordance with their own wishes. We suggest a formal review by the Corporation Counsel of opinions given relating to the Neighborhood Boards and in particular the opinion given on RCH Section 13-104.

6. THE NEIGHBORHOOD COMMISSION STAFF

We have noted at several intervals the reputation for excellent service earned by the Commission staff in the performance of its duties. Clearly, Irene Fujimoto, the Executive Secretary, has provided a high standard of leadership to the tasks of facilitating the work of the Commission and supporting and guiding the work of the boards.

It is our observation that without staff support many of the boards would not be able to function in a manner acceptable to the standards set by Commission rules and regulations and Corporation Counsel opinions. To insure compliance with Sunshine Law requirements it became necessary to institute a rigid system of taking, editing and publishing minutes of board meetings. This task, frequently beyond the range of abilities or time availability of board secretaries, has been given to paid staff members called neighborhood assistants. Accurate minutes also provide a method for the Commission

to evaluate the boards, a requirement of Section 13-103(b) of the Revised Charter.

With the number of boards increasing and with the complexity of board operations on the rise, neighborhood assistants are the key link in board operations. They serve as the point of contact for board chairmen and members and provide continuity for changing board membership. The characteristics required by a neighborhood assistant include sensitivity, diplomacy, intelligence, forthrightness and stamina. Without trained assistants to meet bureaucratic requirements the board system would be a shambles.

Assistants also prepare and send to the boards an incredible amount of information on a wide variety of subjects. Last year, for example, the Boards required a total of 315,000 pages of Xeroxed material. In addition, governmental and private agencies and community organizations mail excessive amounts of reading material to Neighborhood Boards.

The Boards must transmit the information it receives to citizens or arrange for meetings at which information may be disseminated or gathered. This step in the chain of citizen participation is absolutely vital to the process. It is also a step that can be wasteful and difficult to evaluate as to effectiveness. Dollar amounts available to boards for publicity have been considered inadequate and included only enough for one or two neighborhood bulk mailings per year (\$500 to \$600). Notification systems are also subject to the vagaries of the postal service. For example, in a recent case a board prepared a letter to go to each household

encouraging attendance at a development plan meeting. The letter was prepared, addressed by a mailing service and sent six days prior to the meeting. Many of the letters arrived on and after the meeting day although some arrived three days prior to the event. Numerous calls were received from irate individuals who would have attended with proper notice. Funds for notification had been exhausted if another meeting were to be scheduled.

This incident illustrates the fragility of the entire board functioning process and highlights an area of concern for the commission. (What are effective methods of communicating which the boards might use? Radio advertising is quite inexpensive as are Sun Press advertisements. The Commission should address the problem from both the cost and effectiveness aspects.)

The incident described above is only one of many with which the Commission staff must cope. Without staff support boards would be almost powerless to meet their responsibilities. Without staff support the Commission would be hard-pressed to fulfill its charter assigned powers, duties and functions.

6. THE FUTURE

Throughout the brief history of the Neighborhood Boards there has been an overriding sense that inherent in the concept was some fault which would make it impossible for the Neighborhood Boards to fulfill their mission to increase and assure effective citizen participation in the decisions of the city.

In the Neighborhood Plan, drafted and amended by the Neighborhood Commission, and in the opinions drafted by the City

Corporation Counsel, this tragic sense of the Neighborhood Boards is evident. Rule after rule was made because the Neighborhood Commissioners did not believe the Neighborhood Boards could be safely left to run themselves. Elections, they believed, were not enough safeguard to assure the Neighborhood Boards would be self-regulating, especially since such elections attracted so few voters.

The Neighborhood Commission, therefore, expanded and made specific its powers as a review agency and established itself as a mechanism for intervention, if needed, in the affairs of the Neighborhood Boards. In order to assure the integrity of the Neighborhood Boards the Neighborhood Commissioners strengthened their role as the legal guardians of the public weal.

Because so few votes have been needed for election to a Neighborhood Board, there has been a fear expressed that Neighborhood Boards were especially vulnerable to special interest domination. The Neighborhood Boards were established, in large measure, because the Charter Commission distrusted city government's ability to respond, not to minorities and individuals, but to the majority of the voters. If special interest groups or individuals dominated the Neighborhood Boards, then what the commissioners worked hard to bring about would be subverted.

It is clear the commissioners feel the public's ability to distinguish between the real and the counterfeit is not refined. Perhaps more compelling to the commissioners is the observation that power goes to those who serve powerful interests and no power derives to those who serve powerless people. Since it was powerless people the Neighborhood Commission was mandated to serve, the Neighborhood Commissioners found themselves using their power to make rules for

Neighborhood Boards to follow in order to protect the Boards from the "inherent faults" in the concept:

- (1) Elections are not a sufficiently self-regulating entity to insure the integrity of the Neighborhood Boards.
- (2) The electorate is not sufficiently motivated to determine or prevent domination by special interest groups and individuals.
- (3) A system which only gives the power to advise does not sufficiently increase the power of citizens to participate in a decision making system of already legally established powers shared between legally established jurisdictions.

What then is the future of the Neighborhood Boards?

If the sense that the faults inherent in the Neighborhood Boards described above continue to be manifested in more control by the Neighborhood Commission through revisions of the Neighborhood Plan, there will be decreased citizen participation in the activities of the boards, and increased participation by board members in the activities of the government.

To date the controls placed on the Neighborhood Boards have not resulted in increased citizen participation. While the controls have improved some aspects of the effectiveness of participation in the decision making process of the city, they may begin to decrease participation by the many and increase the power of the few who are willing to spend the necessary time to learn the system and manipulate it to their advantage.

Rules and regulations which restrict and prescribe activity tend to create elites who by virtue of their election are, in a sense, licensed to broker the power derived from their neighbors. Once a person becomes a broker of power, it is difficult to remove the person from office. The broker develops a constituency and an interlocking network of favor seekers and favor granters.

When the boards are no longer forums for direct citizen participation and become bodies where elected officials participate in the decisions of the City as representatives of their neighbors, another layer of government will have been created and there will arise, once again, the need for some mechanism for neighbors to directly participate in the decisions which affect their lives.

It is abundantly apparent that the vast majority of Neighborhood Board members see themselves as representatives in the sense of a legislator and not in the sense of a neighbor who functions as a facilitator of direct participation, such as a chairman, secretary, sergeant-at-arms, etc.

Since no neighborhood board election has attracted more than a small percentage of the eligible voters, and the average number of votes to elect a candidate is less than a hundred, it is obvious that Neighborhood Board members are not elected because they necessarily represent the thinking of their neighbors. Nor do they have to. Many Hawaii families have enough votes in their immediate family to win a Neighborhood Board seat. While the example may be overdrawn, it is an example which has currency among bureaucrats and especially elected officials. Why, they ask, should they listen to someone who represents so few people. Further, they point to the ease with which a special interest group could gain control of a Neighborhood Board.

And they say, with apathetic voters the self-regulating quality of Neighborhood Board elections is negated.

The bureaucrats and legislators are right to question the quality of Neighborhood Board participation and some have begun to deal with the boards accordingly. Recognizing how disastrous such an attitude is, the Neighborhood Commission has spent a great deal of effort and money to increase voter participation, but with small success. While it has been possible to dramatically increase the percentage of votes over a previous election, it has not been possible to significantly increase the percentage of eligible voters casting ballots.

Unless something is done to correct this situation the legislative bodies will close off any serious consideration of Neighborhood Board recommendations.

Historic neighborhood associations continue to exercise as much power as Neighborhood Boards and exercise that power without official scrutiny and liability. Since they are "grass roots" they are listened to and their meetings are regularly attended by legislators or their representatives.

It is not unlikely, if the Neighborhood Board system continues to be burdened by rules and regulations and other legal prescriptions, that citizens will choose to participate in a less formal and, at least, equally effective community association whose officers are perceived to be less politically self-aggrandizing than Neighborhood Board officers.

Political office holders seek groups with whom they can work in reasonable harmony. As Neighborhood Boards establish adversary

rather than cooperative relationships, office holders will seek out more harmonious groups with whom to deal. When that happens, and it is already happening, the Neighborhood Boards will seek ways to assert their legal status to force office holders to adhere to their recommendations. If that happens, another layer of government will be in place and a new bureaucracy will be created to support it.

The federal government may play the largest role in determining the future of the Neighborhood Boards, if the City uses the Neighborhood Boards to satisfy the citizen participation requirements of federal grants.

The federal government has for some time responded to the petitions of various minorities by binding grantees to specific mechanisms for direct participation by targeted minorities. Targeted minority groups change from time to time and differ from grant to grant. The affirmative action programs of the federal government assume that all persons within a targeted minority group have suffered at the hands of a discriminating majority.

The Neighborhood Boards were established to assure all people within a neighborhood of effective participation in the decisions of the city. To affirm favored status because of assumed discrimination to some neighbors because of their class over other neighbors because of the assumed discriminatory practices of their class would require the Neighborhood Boards to go to a system of board membership based on quotas, so many elderly persons, handicapped, ethnic, etc., instead of selecting individuals from the general population.

To institutionalize into the Neighborhood Board system

· favored status to classes of citizens selected by the federal government would place the emphasis on classes of people rather than on neighborhoods of people. Also, it would remove certain decision making power from the neighborhoods to the federal government. Either result would weaken rather than strengthen neighborhoods.

RECOMMENDATIONS

1. Request the Corporation Counsel to review all opinions rendered on Neighborhood Commission and Neighborhood Board matters and make suggestions for revisions of the Neighborhood Plan to reduce legal constraints.
2. Request the Corporation Counsel to opine whether or not the present Neighborhood Plan is within the limits set by RCH Section 13-104, The Neighborhood Plan.
3. Make explicit the right of the Neighborhood Boards to make recommendations to any decision makers who have an impact on neighborhoods.
4. Review each Neighborhood description to determine if it meets geographic and social requirements established in the Neighborhood Plan. Each sub-district should be considered as a Neighborhood for purposes of this analysis.
5. If elections are to be held, they should be conducted in the most economic way possible and in the least formal manner feasible.

6. Section 6-1(b) of the Neighborhood Plan describes a cumbersome process which appears to be unnecessary since Section 6-1(a) provides a way for neighbors to remove non-performing board members.
7. If it is affirmed that the Neighborhood Plan is to prescribe the powers, duties and functions of the Neighborhood Boards, then extensive revision of Section 7-1 should be made. We believe the fewer prescriptions the better.
8. Section 7-2(a) seems to go beyond the authority of the Neighborhood Commission and assigns a function to the Office of Information and Complaint. The language should be changed to make it clear such is not the case.
9. The cooperation of the Municipal Reference Librarian should be sought to implement the intent of Section 7-2(a).
10. Section 7-2(c) which requires boards to meet once a month seems to fail to recognize that not all neighborhoods require a monthly meeting. This prescription should be revised to allow for neighborhood differences.
11. Section 7-2(d) is not necessary and does allow for public monies to be used by private groups which are outside of ordinary public controls. This part should be eliminated.

12. The next Charter Review Commission should clarify the language of RCH Section 13-104, pertaining to the Neighborhood Plan.
13. The next Charter Review Commission should place the approval process for the Neighborhood Plan under the control of the City Council and the Mayor as is the practice for all other plans. (RCH Sec. 13-104).
14. The next Charter Review Commission should place the evaluation of the Neighborhood Boards with the Managing Director who is charged with evaluating all other city agencies, except the Board of Water Supply (Sec. 13-103b). The evaluation instrument should include ways to measure the effectiveness of citizen participation in the decisions of the City. Not only the Neighborhood Boards should be evaluated, but the City departments and agencies as well.
15. Neighborhood Commission staffing should be stabilized and the core staff given regular civil service status. The core staff should be removed from the political appointment system or federal emergency employment program system now in use. We recommend that the highest priority be given to training all members of the Commission staff especially those newly assigned.